

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**TODD ALLEN,** :  
**Plaintiff,** :  
 :  
**v.** : **CIVIL ACTION NO. 19-CV-3300**  
 :  
**CHAD SMITH, *et al.*,** :  
**Defendants.** :

**ORDER**

AND NOW, this 12<sup>th</sup> day of August, 2019, upon consideration of Plaintiff Todd Allen's Motion to Proceed *In Forma Pauperis* (ECF No. 1) and *pro se* Complaint (ECF No. 2), it is

**ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as to all claims asserted against Assistant District Attorney Douglass Lavenberg, Assistant District Attorney Jane Doe, and the Montgomery County District Attorney Drug Task Force.
4. The Complaint is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as to all claims asserted against Cara McMeans, Alia Harris, Edward Rideout, Thomas Carluccio, Emily Seiber, Jodi Lukens, Sharon Meisler, Cheltenham Township, and NMS Lab.
5. The Clerk of Court shall not serve the Complaint until so **ORDERED** by the Court.

6. Allen is **GRANTED** leave to file an amended complaint within thirty (30) days of the date of this Order. Any amended complaint must be a complete document and shall identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint. It shall contain a short, plain statement setting forth the basis for Allen's claims against each defendant. Allen should provide enough information for the Court to understand what happened to him and how each named defendant acted to cause him injury. When drafting his amended complaint, Allen should be mindful of the Court's reasons for dismissing his claims as explained in the Court's Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

7. The Clerk of Court shall send Allen a blank copy of the Court's form complaint for use by a non-prisoner in filing a civil rights action bearing the above civil action number. Allen may use this form to file his amended complaint in the instant case if he chooses to do so. If Allen chooses not to file an amended complaint, the current version of his Complaint will be served upon the remaining Defendants (1) at the expiration of the thirty (30) period provided in paragraph five (5) of this Order, or (2) when Allen advises the Court of his choice to forego filing an amended complaint.

**BY THE COURT:**

/s/ Robert F. Kelly  
**ROBERT F. KELLY, J.**